

Regular Session, 2010

HOUSE BILL NO. 1466 (Substitute for House Bill No. 599 by Representative Ellington)

BY REPRESENTATIVE ELLINGTON

WILDLIFE & FISHERIES CMN: Authorizes the Wildlife and Fisheries Commission to adopt regulations for the use of certain fishing gear in certain lakes

1 AN ACT

2 To enact R.S. 56:6(32), relative to the powers of the Wildlife and Fisheries Commission; to
3 authorize the commission, at the request of certain governmental entities, to adopt
4 regulations for the use of certain fishing gear for certain lakes; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:6(32) is hereby enacted to read as follows:

8 §6. Special powers and duties; statistics; rules and regulations; reports

9 The commission, through its secretary:

10 * * *

11 (32) Upon request of the department, a lake commission, a fish and game
12 commission, or a watershed district, may adopt regulations applicable to the use of
13 yo-yo or trigger device fishing gear in a specific waterbody. When adopted by the
14 commission, the regulations shall be uniform in their application to waterbodies
15 subject to the regulations and shall provide that:

16 (a) The use of yo-yos or trigger devices shall be governed by the following
17 terms:

18 (i) No more than fifty yo-yos or trigger devices shall be allowed per person.

1 (ii) Except for those devices that are attached to a privately owned pier,
2 boathouse, seawall, or dock, each yo-yo or trigger device shall be clearly tagged with
3 the name, address, and telephone number of the owner or user.

4 (iii) When in use, each yo-yo or trigger device shall be checked at least once
5 every twenty-four hours, and all fish, and any other animal caught or hooked, shall
6 be immediately removed from the device.

7 (iv) Except for those devices that are attached to a privately owned pier,
8 boathouse, seawall, or dock, each yo-yo or trigger device must be rebaited at least
9 once every twenty-four hours.

10 (v) Except for those metal objects located above the water that are affixed to
11 a private pier, dock, houseboat, or other manmade structure which is designed for
12 fishing, no yo-yo or trigger device shall be attached to any metal object.

13 (vi) Except for a metal object used strictly in the construction of a pier,
14 boathouse, seawall, or dock, no metal object which is driven into the lake bottom, a
15 stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device.

16 (vii) Except for those devices that are attached to a privately owned pier,
17 boathouse, seawall, or dock, when not being used in accordance with the provisions
18 of this Paragraph, each yo-yo or trigger device shall be removed from the waterbody
19 immediately.

20 (b) The use of trotlines shall be governed by the following terms:

21 (i) All trotlines shall be clearly tagged with the name, address, and phone
22 number of the owner or user and the date of placement. The trotline shall be marked
23 on each end with a floating object that is readily visible.

24 (ii) At any given time, no person shall set more than three trotlines with a
25 maximum of fifty hooks each.

26 (iii) All trotlines shall have an eight-foot cotton leader on each end of the
27 trotline.

- 1 (iv) Except for those metal objects located above the water that are affixed
2 to a private pier, dock, houseboat, or other manmade structure which is designed for
3 fishing, no trotline shall be attached to any metallic object.
- 4 (v) Each trotline shall be attended daily when in service.
- 5 (vi) When not in use, each trotline shall be removed from the waterbody by
6 the owner or user.
- 7 (c) A violation of any of the provisions of this Paragraph shall be a class one
8 violation. In addition, any device found in violation of this Paragraph shall be
9 immediately seized by and forfeited to the department.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Ellington

HB No. 1466

Abstract: Authorizes the Wildlife and Fisheries Commission to regulate the use of certain fishing devices on certain lakes.

Authorizes the Wildlife and Fisheries Commission, at the request of the Dept. of Wildlife and Fisheries or a lake commission, a fish and game commission, or a watershed district to adopt rules to regulate the use of certain fishing gear in a lake under the control of the requesting entity. Such rules shall regulate the use of yo-yos and trotlines as follows:

Proposed law, relative to yo-yos, limits each person to 50 yo-yos; requires that except those attached to private piers or docks, each be tagged with the name, address, and phone number of the owner; that each one is checked at least once every 24 hours, and all fish or other animals caught be removed; except those attached to private piers or docks, that each one be rebaited every 24 hours; prohibits a yo-yo from being attached to a metal object; prohibits the use of any metal object driven into the lake bottom, a stump, or tree, or the bank; and except those attached to private piers or docks, requires the removal of any yo-yo not in use.

Proposed law, relative to trotlines, limits each person to three trotlines; requires that each be tagged with the name, address, and phone number of the owner and a float on each end; prohibits a trotline from being attached to a metal object; requires an eight-foot cotton leader on each end of each trotline; requires daily attendance while in service; and requires the removal of any trotline not in use.

Provides that violations are class one violations punishable as follows plus seizure of the device:

| | | | |
|-------------|---------------|----|----------------------------------------------|
| 1st offense | \$50 | or | imprisonment up to 15 days, or both |
| 2nd offense | \$75 - \$250 | or | imprisonment between 30 and 60 days, or both |
| 3rd + | \$200 - \$550 | & | imprisonment between 30 and 90 days |

(Adds R.S. 56:6(32))